

DOCKET NO. 1:17-cv-00351-MOC-DLH

**TAMMY MCABEE**  
**CHERYL CELESTE KENYON,**

Plaintiffs,

Vs.

ORDER

**FNU JACKSON  
NORTH CAROLINA DEPARTMENT OF  
PUBLIC SAFETY  
JIMMY LEE BRANCH  
TABITHA BATES,**


Defendants.

**THIS MATTER** is before the court on defendant North Carolina Department of Public Safety's ("NCDPS") Motion to Dismiss. In their Response (#17), plaintiffs concede that Defendant NCDPS is entitled to the relief it seeks. Having considered NCDPS's motion and reviewed the pleadings, the court enters the following Order.

## ORDER

**IT IS, THEREFORE, ORDERED** that defendant North Carolina Department of Public Safety's Motion to Dismiss (#12) is **GRANTED**, and the claims asserted against such defendant in the Complaint are **DISMISSED** for the reasons provided in the NCDPS's Memorandum of Law in Support (#13). Defendant North Carolina Department of Public Safety is **TERMINATED** as a party defendant to this action.

Signed: April 23, 2018

  
Max O. Cogburn Jr.  
United States District Judge

Max O. Cogburn Jr.  
United States District Judge